

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE NEW YORK CITY  
DISTRICT COUNCIL OF CARPENTERS  
PENSION FUND, WELFARE FUND, ANNUITY  
FUND, and APPRENTICESHIP, JOURNEYMAN  
RETRAINING, EDUCATIONAL AND INDUSTRY  
FUND, et al.,

Petitioners,

-against-

NEW YORK CITY ACOUSTICS, INC.,

Respondent.

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 6/6/2025

25-CV-00227 (MMG)

**ORDER**

MARGARET M. GARNETT, United States District Judge:

On January 10, 2025, Trustees of The New York City District Council of Carpenters Pension Fund, Welfare Fund, Annuity Fund, and Apprenticeship, Journeyman Retraining, Educational and Industry Fund, et al. (“Petitioners”) filed a Petition to Confirm an Arbitration Award. *See* Dkt. No. 1. Petitioners seek confirmation of an arbitration award issued by arbitrator J.J. Pierson (“Arbitrator”) on June 24, 2024 and made pursuant to a collective bargaining agreement (“CBA”). *See id.* The award includes, *inter alia*, a grant of \$14,268.39 for “Non-Audit Late Payment Interest,” but does not specify the basis for such an award. *See* Dkt. No. 1-11. The basis for this award is also not apparent from the record submitted by Petitioners.

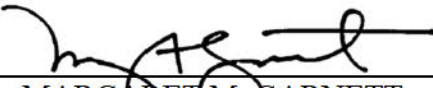
The applicable CBA also does not appear to provide a basis for this award. The CBA provides that an employer who is delinquent in contributing to the relevant fringe benefit funds (“the Funds”) must, in the event of arbitration in the Funds’ favor, pay the unpaid contributions, interest on the unpaid contributions, liquidated damages (or, if greater, a second payment of the interest on the unpaid contributions), attorneys’ fees and costs, and additional relief deemed

appropriate, but does not otherwise appear to include payment of (or a definition of) “Non-Audit Late Payment Interest.” *See* Dkt. No. 1-3.

Accordingly, it is hereby ORDERED that Petitioners submit a letter by no later than **June 20, 2025**, informing the Court of the contractual or legal basis for the award of the “Non-Audit Late Payment Interest,” as well as the factual basis for such an award.

Dated: June 6, 2025  
New York, New York

SO ORDERED.

  
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MARGARET M. GARNETT  
United States District Judge